

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

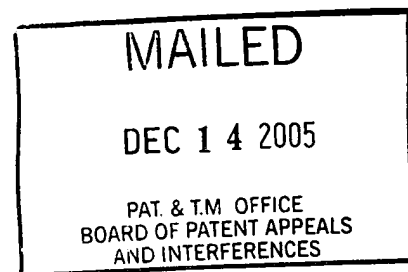
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MARK STUTLER

Appeal No. 2005-1925
Application No. 10/081,156

ORDER REMANDING TO EXAMINER



Appellant filed an Information Disclosure Statement dated November 1, 2005. It is not clear from the record whether the examiner considered the Information Disclosure Statement submitted or whether the examiner notified appellant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that this application be remanded to the examiner for: 1) consideration of the Information Disclosure Statement filed November 1, 2005; 2) appropriate written

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notification by the examiner to appellant of such consideration;
and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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